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REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
2092 CON II (203-2398 CON II)

In re Application of: Stoddard et al.

Application No.: 10/628,682

Filed: July 28, 2003

For: ELECTROSURGICAL GAS ATTACHMENT

The owner*, Valleylab, a Division of Tyco Healthcare LLP, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. US 6,602,249 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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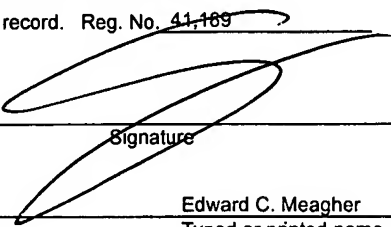
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 41,169



Signature
August 25, 2005

Date
Edward C. Meagher

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631-501-5700

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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